

Attorney Docket No. P11258

**AMENDMENTS TO THE CLAIMS**

This listing of claims replaces all prior versions and listings of claims in the application.

**Listing of Claims**

1-14. (Canceled)

15. (Previously Presented) A method of controlling a data unit oriented communication between a sender and a receiver operating in accordance with a predetermined communication protocol, said method comprising the steps of:

dividing, by the sender, an amount of data to be sent into a plurality of data units having a structure determined by the protocol;

transmitting initial data units from the sender to the receiver;

acknowledging, by the receiver, correct receipt of the initial data units by returning acknowledgment data units to the sender;

detecting a failure of the receiver to receive at least one data unit by monitoring a time out period by the sender after the at least one data unit is sent, and if no acknowledgment data unit associated with the data unit is received before the time out period expires, triggering a time out mechanism that indicates the failure;

retransmitting, by the sender, the at least one data unit that the receiver failed to receive;

receiving at the sender, an acknowledgment data unit indicating that at least one of the data units was correctly received by the receiver;

determining whether the received acknowledgment data unit indicates that the at least one correctly received data unit was correctly received as a result of the transmitting step or as a result of the retransmitting step, said determining step including the steps of:

determining by the sender, a shortest round trip time associated with the correct receipt of an initial data unit;

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measuring by the sender, a time period between the retransmission of a given data unit and the receipt of a first acknowledgment data unit associated with the given data unit;

comparing the shortest round trip time to the time period between the retransmission of the given data unit and the receipt of the first acknowledgment data unit; and

determining that the at least one data unit was correctly received as a result of the transmitting step if the time period between the retransmission of the given data unit and the receipt of the first acknowledgment data unit is shorter than a predetermined fraction of the shortest round trip;

subsequently transmitting, by the sender, subsequent data units, said subsequent data units being transmitted in accordance with a flow control procedure conducted on the basis of at least one adaptive parameter, said subsequently transmitting step including:

performing an excessive delay response procedure upon determining that the received acknowledgment data unit indicates that the at least one data unit was correctly received as a result of the transmitting step; and

performing a data unit loss response procedure upon determining that the received acknowledgment data unit indicates that the at least one data unit was correctly received as a result of the retransmitting step.

16-44. (Canceled)

45. (Previously Presented) A system for controlling a data unit oriented communication between a sender and a receiver operating in accordance with a predetermined communication protocol, said system comprising:

means in the sender for dividing an amount of data to be sent into a plurality of data units having a structure determined by the protocol;

a data unit transmitter that transmits the data units from the sender to the receiver;

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means in the receiver for acknowledging correct receipt of the transmitted data units by returning acknowledgment data units to the sender;

a data loss detection mechanism that detects an apparent failure of the receiver to receive an initial data unit;

flow-control adapting means, responsive to the data loss detection mechanism, for adapting flow control parameters to transmit subsequent data units in accordance with a data unit loss response procedure, and for causing the data unit transmitter to retransmit the data unit that the receiver apparently failed to receive;

receiving means in the sender for subsequently receiving an acknowledgment data unit indicating that the data unit that the receiver apparently failed to receive was correctly received by the receiver;

determining means for determining from the received acknowledgment data unit whether the correctly received data unit was the initial data unit or the retransmitted data unit, said determining means comprising:

a first timer in the sender that measures a shortest round trip time associated with the correct receipt of a transmitted data unit;

a second timer in the sender that measures a time period between the retransmission of a given data unit and the receipt of a first acknowledgment data unit associated with the given data unit;

means for comparing the shortest round trip time to the time period between the retransmission of the given data unit and the receipt of the first acknowledgment data unit; and

means for determining that the at least one data unit was correctly received as a result of the transmitting step if the time period between the retransmission of the given data unit and the receipt of the first acknowledgment data unit is shorter than a predetermined fraction of the shortest round trip;

a data unit loss response mechanism for continuing to transmit subsequent data units in accordance with the data unit loss response procedure, in response to a determination that the correctly received data unit was the retransmitted data unit; and

an excessive delay response mechanism for causing the flow-control adapting means to adapt the flow control parameters to transmit subsequent data units in

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accordance with an excessive delay response procedure, in response to a determination that the correctly received data unit was the initial data unit.

46-60. (Canceled)

61. (Previously Presented) A method of controlling a data unit oriented communication between a sender and a receiver operating in accordance with a predetermined communication protocol, said method comprising the steps of:

dividing, by the sender, an amount of data to be sent into a plurality of data units having a structure determined by the protocol;

transmitting initial data units from the sender to the receiver, said transmitting step including placing a timestamp in each of the data units when each data unit is transmitted;

acknowledging, by the receiver, correct receipt of the initial data units by returning acknowledgment data units to the sender, where each of the acknowledgment data units includes the timestamp of the initial data unit being acknowledged;

detecting an apparent failure of the receiver to receive at least one initial data unit;

retransmitting, by the sender, the at least one data unit that the receiver apparently failed to receive, said retransmitting step including placing a timestamp in the retransmitted data unit and storing the timestamp of the retransmitted data unit in the sender;

receiving at the sender, an acceptable acknowledgment data unit indicating that the data unit that the receiver apparently failed to receive was correctly received by the receiver;

determining whether the received acknowledgment data unit is associated with the initial data unit or the retransmitted data unit, said determining step including the steps of:

comparing the timestamp received in the acknowledgment data unit with the stored timestamp of the retransmitted data unit;

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determining that the received acknowledgment data unit is associated with the retransmitted data unit if the timestamp received in the acknowledgment data unit matches the stored timestamp of the retransmitted data unit; and

determining that the received acknowledgment data unit is associated with the initial data unit if the timestamp received in the acknowledgment data unit is smaller than the stored timestamp of the retransmitted data unit;

subsequently transmitting, by the sender, subsequent data units, said subsequent data units being transmitted in accordance with a flow control procedure conducted on the basis of at least one adaptive parameter, said subsequently transmitting step including:

performing a data unit loss response procedure upon determining that the received acknowledgment data unit is associated with the retransmitted data unit; and

performing an excessive delay response procedure upon determining that the received acknowledgment data unit is associated with the initial data unit.

62. (Previously Presented) The system of claim 35, wherein the excessive delay response mechanism also increases a time-out period to reduce the likelihood of further false lost packet detections.

63. (Previously Presented) The system of claim 35, wherein the excessive delay response mechanism avoids retransmitting data units that have already been transmitted.

64. (Previously Presented) The method of claim 50, wherein the excessive delay response procedure avoids retransmitting data units that have already been transmitted.

65. (Previously Presented) The method of claim 60, wherein the excessive delay response procedure avoids retransmitting data units that have already been transmitted.

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66. (Previously Presented) The method of claim 50, wherein the step of determining whether the correctly received data unit was the initial data unit or the retransmitted data unit includes:

marking the transmitted data units by the sender such that an initial data unit can be distinguished from a retransmitted data unit; and

marking the acknowledgment data units by the receiver such that an acknowledgment data unit associated with an initial data unit can be distinguished from an acknowledgment data unit associated with a retransmitted data unit.

67. (Previously Presented) The method of claim 66, wherein:

the step of marking the transmitted data units by the sender includes placing a bit string in each transmitted data unit, the bit string having at least two different values for distinguishing between an original transmission and a retransmission; and

the step of marking the acknowledgment data units by the receiver includes placing the bit string contained in a particular transmitted data unit in the acknowledgment data unit associated with the particular transmitted data unit.

68. (Previously Presented) The method of claim 67, wherein the bit string consists of a single bit.